

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Campbell et al.
Serial No. 09/252,322
Filed: February 18, 1999
For: BALLOON CATHETER DEVICE

Group Art Unit: 3762
Examiner: Gring, N.

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Assistant Commissioner for Patents, Washington, DC 20231 on September 8, 1999.

Assistant Commissioner for Patents
Washington, D.C. 20231

Melanne Williams
Melanne Williams
Sep. 8, 1999
(date of mailing document)



RESPONSE TO RESTRICTION REQUIREMENT

Dear Sir:

The following is in response to the official action of June 8, 1999. A Petition for Extension of Time is enclosed herewith.

Presently, claims 1-69 are pending in the application.

The Examiner states that the application contains claims directed to 11 patentably distinct species as shown by the following groups of figures: I. Figures 1-2, II. Figures 3A-3B, III. Figures 4A-5B, IV. Figures 6A-6C, V. Figure 7, VI. Figure 8, VII. Figure 8A, VIII. Figure 9-9A, IX. Figure 10A-10F, X. Figures 11A-11C and XI. Figures 12A-12C. He further states that currently, no claims are generic.

Group III (Figures 3A-3B) describe balloon covers or balloons of ePTFE in combination with elastomer. Groups VI, VII, IX, X AND XI are properly subspecies of Group III as all of these describe specific versions of the composite balloons made of porous materials and elastomers. Accordingly, the species are not distinct from each other and the following election is made with traverse.

Claims 1-62 relate to various embodiments of catheter balloons made from porous materials in combination with elastomers used to seal the porous materials. These claims therefore fall within Group III. The Applicants elect these claims for prosecution at the present time. Should the Examiner disagree with the Applicants' interpretation of Group III, they would alternatively elect claims 47-55 as a narrower subset of Group III for prosecution at this time.

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If there are any outstanding issues, the Examiner is encouraged to telephone Applicants' undersigned representative at (520) 526-3030.

Respectfully submitted,

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Date: September 8, 1999